

Docket Item # 2-A
TEXT AMENDMENT #2002-0002

Planning Commission Meeting
July 2, 2002

CASE: TEXT AMENDMENT #2002-0002
CITY RECYCLING CENTER

ISSUE: Consideration of an amendment to Section 6-105 of the Zoning Ordinance to allow a public recycling center in the POS zone.

PLANNING COMMISSION ACTION, JULY 2, 2002: On a motion by Ms. Fossum, seconded by Mr. Leibach, the Planning Commission voted to recommend approval of the text amendment. The motion carried on a vote of 7 to 0.

Reason: The Commission endorsed the limitations on using POS land included in the revised text amendment language. It discussed the importance of trees and its understanding from staff that a treed area would not be a good site for a recycling center, that only undesirable trees would be removed, and that any removed trees would be replaced.

Speakers:

Katy Cannady, 20 East Oak Street, spoke regarding the importance of open space.

Sharon Hodges, Director, Eisenhower Partnership, stated that neither the recycling center nor the mulch pile fit is in the long term vision for Eisenhower Avenue, although the use is acceptable on an interim basis. She also suggested a six month review, instead of one year.

PLANNING COMMISSION ACTION, JUNE 4, 2002: On a motion by Mr. Dunn, seconded by Ms. Fossum, the Planning Commission voted to defer the text amendment. The motion carried on a vote of 7 to 0.

Reason: The Commission was concerned about allowing recycling centers to be located in the POS zone, because of the potential loss of open space. It asked staff to reconsider the text amendment, and suggested that there be at least additional limitations and a definition included for any potential recycling use on land zoned for open space.

Speakers:

Troy Englart, president of the homeowners association of Towns of Cameron Parke, expressed strong opposition to both the text amendment and the special use permit case.

Maria Savio, spoke in opposition.

Pam Streeter, spoke in opposition.

Sharon Hodges, Executive Director, Eisenhower Partnership, explained that a recycling center at this location was inconsistent with the long term vision for Eisenhower Avenue, although it may be acceptable as an interim use.

Elizabeth Wright, 113 S. Ingram Street, spoke in support of recycling.

Julie Crenshaw stated that she was not necessarily in favor of the text amendment but that the proposed recycling center could be appropriate as a temporary use at the proposed location.

Katy Cannady, 20 E. Oak Street, spoke in favor of both the text amendment and the recycling center.

Kenyon Larsen spoke.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission on its own motion initiate the following text amendment:

ARTICLE VI: SPECIAL AND OVERLAY ZONES

Sec. 6-100 POS/Public open space and community recreation zone

6-105 *Special uses.* The following uses may be allowed in the POS zone pursuant to a special use permit:

- (J) Public recycling center, provided the Director determines that the use does not interfere with an established active or passive recreation area; that trees do not have to be removed, unless approved by the Director of Recreation, Parks and Cultural Activities; and that uses adjacent to the recycling site are compatible with recycling activities.

ARTICLE II DEFINITIONS

Sec. 2- 187.1 **Public recycling center. A collection site for the acceptance by donation or redemption of recyclable materials from the public. Such centers may not include permanent structures or buildings, but typically consist of portable containers that can be emptied or readily moved.**

Note: Underlining indicates proposed new text; ~~strikeout~~ indicates text to be deleted. Full text attached to report.

Bold indicates material added in response to Planning Commission comments.

DISCUSSION

This text amendment is designed to allow a public recycling center on land zoned POS, and is being brought forward in conjunction with an application to allow a public recycling center at 4251 Eisenhower Avenue, where the leaf and mulch pile has been located for more than ten years.

The POS Zone

The POS zone was adopted in 1992, after being proposed by the Zoning Task Force as part of its work on the new comprehensive zoning ordinance. The POS zone filled a gap in the prior zoning ordinance which had no provision for public land used for parks and other open spaces. By its terms, the POS zone is designed to

... preserve and enhance Alexandria's publicly owned open space and recreational areas and to protect the natural and developed amenities they possess by allowing only that development which respects and is consistent with those amenities. The zone is intended to apply to all publicly owned open spaces, parks, recreation facilities and similar areas.

The POS zone has been in place now for over a decade and has proved useful in many instances. On the other hand, its terms are very restrictive. Many uses that the city and public support require a special use permit. Many uses are not permitted at all. (See full text of POS zone attached.) When, for example, the schools needed land for trailers at many schools, they sought to place it on open land around or next to the school buildings, but found they could not because the land was zoned POS and the POS zone does not permit trailers. In the school trailer example, a text amendment was necessary, and City Council limited the language to only allow trailers in conjunction with school classroom needs, only with a special use permit, and only with a sunset clause, consistent with the school's projected needs, so that trailers would not always be allowed in the POS zone, even for schools.

Public recycling in POS

The text amendment proposed here would add a public recycling center to the potential uses that can be located on POS land. A special use permit would be required so that issues with a particular location can be addressed on a case by case basis. Staff believes that a recycling center would not be appropriate at most of the existing parks in the city because they are small or already occupied with desirable uses. On the other hand, there may be parks that are large enough to accommodate

both active and passive park areas and a recycling location, such as Jones Point Park. And, as in the current circumstance, there may be land zoned POS which is well suited to the recycling center use and not currently used as a park.

At its June meeting, the Commission voiced concern about allowing POS sites to be used for recycling, and directed staff to consider additional limitations as part of any text amendment. Staff has redrafted the proposed text amendment to add precondition requirements for any POS land being considered for a recycling use in the future. As the text amendment now reads, POS land could be considered for a public recycling use only if the land at issue (1) is not already devoted to active or passive recreational use; (2) does not require the removal of trees (unless approved by the Director of Recreation, Parks and Cultural Activities); and (3) is located such that adjacent uses are compatible with the proposed recycling use. These restrictions will make it difficult to site recycling uses in parks in the future, but still allows the opportunity if there is a POS site, or part of one, not already used as a park. The current case would be an example of a permissible site because it meets each of the preconditions set out in the ordinance: it is on land not now used for active or passive recreation; it required no trees to be removed; and it is sited adjacent to a compatible use, a mulch pile.

In addition to adding limitations, staff has added a definition for the new public recycling center use, in order to distinguish it from the commercial recycling use already listed and permitted in the zoning ordinance on land zoned for Industrial use. The definition provides:

Public recycling center. A collection site for the acceptance by donation or redemption of recyclable materials from the public. Such centers may not include permanent structures or buildings, but typically consist of portable containers that can be emptied or readily moved.

The definition makes clear the intent that the type of recycling operation permitted in the POS zone is only a small, *public* one where citizens may come to drop off recyclables, and does not include any buildings or permanent structures.

Eisenhower Avenue Site

This text amendment is necessary so that the leaf pile site at 4251 Eisenhower Avenue can be expanded to allow for a recycling center for citizen drop-off of recyclables not collected at their homes or business, such as cardboard, newspaper and aluminum, plastic and glass. The site will have bins and containers for citizens to deposit their household recycling items. There will be five parking spaces. The frontage will include landscaping and a sign. (See DSUP #2002-0007 for more details about proposed use.) Similar facilities are located at Jones Point, 3540 Wheeler Avenue, and

on South Whiting Street. Although the Eisenhower Avenue site is currently zoned POS, and may in the future be used for public park or horticultural purposes, it is not now a public park use. The proposed recycling use serves a public purpose, is appropriate at this location, at this time, and is an extension of the existing recycling (leaf pile) use.

Staff supports the proposed text amendment to allow public recycling centers in POS with a special use permit.

STAFF: Eileen P. Fogarty, Director, Planning and Zoning;
Barbara Ross, Deputy Director.

Attachments: Section 6-100 POS/Public open space and community recreation zone
Map showing POS land and current public recycling locations

SPECIAL AND OVERLAY DISTRICTS

6-104

ARTICLE VI. SPECIAL AND OVERLAY ZONES

- Sec. 6-100 POS/Public open space and community recreation zone.
 Sec. 6-200 WPR/Waterfront park and recreation zone.
 Sec. 6-300 Floodplain district.
 Sec. 6-400 Height districts.
 Sec. 6-500 Urban overlay district. (Old Town North)

Sec. 6-100 POS/Public open space and community recreation zone.

6-101 Purpose and short title. The POS zone is intended to preserve and enhance Alexandria's publicly owned open space and recreational areas and to protect the natural and developed amenities they possess by allowing only that development which respects and is consistent with those amenities. This zone is intended to apply to all publicly owned open spaces, parks, recreation facilities and similar areas.

6-102 Permitted uses. The following are permitted uses in the POS zone:

- (A) Recreational areas consisting of natural and unimproved geographic features such as woodland, meadowland or wetland areas, wildlife sanctuaries or preserves, water courses, streams, lakes and ponds, and similar geographic features;
- (B) Improved outdoor recreational facilities intended for passive and/or non-congregate recreational activities only, such as hiking and bicycle trails, squares, greens and commons, sitting areas, picnic areas and fishing sites, and like facilities, subject to approval of a site plan.

6-103 Accessory uses and structures. Accessory uses and structures, including outdoor storage and park guard facilities, are permitted in the POS zone, subject to approval of a site plan.

6-104 Temporary uses and structures. Temporary uses and structures compatible with the purposes of the POS zone, such as fairs, festivals and competitions, and structures associated therewith, such as tents and band shells, may be permitted by resolution of city council, subject to such limitations, terms and conditions as therein specified; provided, that city council may by resolution delegate such approval authority, in whole or in part, to the city manager, under appropriate standards and guidelines, and subject to appeal to city council.

6-105 *Special uses.* The following uses may be allowed in the POS zone pursuant to a special use permit:

- (A) Public park and community recreation buildings, including enclosed and semi-enclosed shelters and pavilions, providing functions and facilities such as gymnasiums, meeting rooms, game rooms, arts and crafts centers, and dining and dancing facilities;
- (B) Active and/or congregate recreational facilities such as:
 - (1) Athletic fields, children's play apparatus areas, archery ranges and court game facilities;
 - (2) Indoor and outdoor swimming pools;
 - (3) Indoor and outdoor roller skating and ice skating rinks;
 - (4) Amphitheaters, band shells and outdoor theaters, not including drive-in theaters;
 - (5) Miniature golf courses and similar amusement and recreational facilities;
- (C) Commercial facilities customarily incidental and subordinate to the operation of public recreational uses, such as refreshment stands and small shops providing sporting goods and related services.
- (D) Cultural facilities such as botanical gardens, arboretums, nature centers, conservatories, historic sites, archeological sites, monuments and memorials;
- (E) Plant, tree and flower nurseries;
- (F) Public utility rights-of-way, man-made lakes, ponds and water courses, and similar public works compatible with the purposes of the POS zone;
- (G) Facilities for the lighting of any area in the POS zone for nighttime use;
- (H) Outdoor food and crafts market;
- (I) Temporary public school classroom trailers in conjunction with adjacent public schools. This subsection shall expire on June 30, 2006. Any trailers permitted under the authority of this subsection shall be removed by that date.

6-105.1 *Prohibited uses.* Any use which is not a permitted, special, temporary or accessory use pursuant to this section 6-100 is prohibited.

6-106 *Bulk, space and yard requirements.* The following bulk, space and yard requirements shall apply in the POS zone:

- (A) *The maximum permitted height of a building or structure is:* 15 feet; provided, that with a special use permit the height may be increased to an amount not to exceed 30 feet for a building or structure or, in the case of an ornamental structure as defined in section 2-197.1, to an amount not to exceed 40 feet.
- (B) *Required yards:*
 - (1) *Front yards.* None is required.
 - (2) *Side and rear yards.* A setback of 20 feet is required when adjacent to any residential lot or zone; otherwise none is required.
 - (3) *Special setback.* Any area intended for active and/or congregate outdoor recreational activities shall be located at least 30 feet from any property zoned for residential purposes or shall be so screened as to provide visual and auditory privacy to such property.
 - (4) *Required landscaping.* All yards shall be landscaped in a manner consistent with the natural setting to be maintained in the POS zone.

6-107 *Parking requirements.* Off-street parking requirements applicable to the permitted and special uses in the POS zone are set forth in Article VIII. Parking for temporary uses shall be as specified in the approval therefor. In addition, all parking areas located within the POS zone shall comply with the following standards:

- (A) No parking areas shall be located within any required yard, and a maximum of 50 percent of any front yard may be devoted to parking, if compatible with adjacent front yards.
- (B) All parking areas shall be landscaped in a manner consistent with the natural setting to be maintained in the POS zone.

6-108 *Use limitations.* The following limitations and conditions shall govern all permitted, special and temporary uses in the POS zone:

- (A) Outdoor storage shall be entirely screened from view.
- (B) All lighting shall be located and shielded so as to prevent the direct glare of beams onto residential properties and streets.

- (C) All public address systems, loudspeakers or other sound-producing activities shall be designed, located and operated so as to avoid any undue disturbance or any nuisance to surrounding areas.

6-109 *Nonconforming use exemption.* No use or structure, otherwise subject to the provisions of this section 6-100, which was in existence on September 16, 1989 or for which a preliminary or combination site plan approved on or before September 16, 1989, continues in force and effect, shall be deemed a nonconforming use by virtue of any provisions of this section 6-100, nor shall any such use be subject to the provisions of this section 6-100; provided, however, that no such use shall be extended or enlarged to a size or density in excess of that which existed on, or which was described in, a site plan approved as of September 16, 1989, unless compliance with the provisions of this section 6-100 shall have been had.

(Ord. No. 3612, § 4, 1-23-93; Ord. No. 3654, § 2, 6-30-93; Ord. No. 3753, § 1, 9-27-94; Ord. No. 4061, §§ 1, 2, 6-12-99; Ord. No. 4155, § 1, 9-16-00)

Sec. 6-200 WPR/Waterfront park and recreation zone.

6-201 *Purpose.* The purpose of the WPR zone is to enhance the vitality of the Alexandria waterfront by providing for parks, open spaces and recreational opportunities linked by a continuous pedestrian promenade.

6-202 *Permitted uses.* The following uses are permitted in the WPR zone:

- (A) Public buildings;
- (B) Public parks, playgrounds, athletic fields or other outdoor recreation facilities;
- (C) Retail and/or service commercial when accessory to a permitted use, provided such retail and/or service commercial does not occupy more than ten percent of the land area of the lot, parcel or tract of land.

6-203 *Special uses.* The following uses may be allowed in the WPR zone pursuant to a special use permit:

- (A) Bike rental;
- (B) Commercial outdoor recreation facilities;
- (C) Facilities used for the docking or berthing of boats or ships, including public or private marinas and/or boat clubs with related facilities limited to water and electricity connections;
- (D) Outdoor food and crafts market;



City of Alexandria, Virginia

DEPARTMENT OF PLANNING AND ZONING

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DATE: APRIL 15, 2002

TO: CIVIC ASSOCIATIONS AND INTERESTED GROUPS

FROM: EILEEN FOGARTY, DIRECTOR *Eileen Fogarty*
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: NEW TEXT AMENDMENT: RECYCLING CENTER IN POS ZONE

Enclosed is a draft text amendment that staff plans to present to the Planning Commission and City Council for consideration in June 2002. We invite your comments.

The text amendment would add "recycling center" to the uses listed in the POS zone that require a special use permit. Currently, recycling centers are only permitted in the industrial zones of the city. The POS zone is designed to apply to and to protect public parks owned by the City. There are some instances, however, of public land zoned POS but not now used for a park. One example is the leaf pile site at 4251 Eisenhower Avenue. It has been used to store the City's mulch pile; citizens are free to come and help themselves to mulch for their yards. Now, the city is proposing to expand that recycling activity with a series of containers into which recycling material, such as cardboard, newspapers and glass, can be deposited. However, the land on which the leaf pile is located is zoned POS, and that zone does not permit a recycling center. The leaf pile predates the POS zoning, so it is permitted to continue. However, to expand and allow more recycling activity requires this text amendment. A special use permit and site plan application for the recycling facility will also be heard in June.

While there are existing parks throughout the city which would be inappropriate for a recycling center, a few parks are large enough that part of the land could be used for the purpose, such as at Jones Point. In order to review each proposed site beforehand as to the appropriateness of the recycling center use, the text amendment requires special use permit approval for each one.

If you have any questions or wish to discuss this issue, please contact me or Barbara Ross. You may also wish to send your comments to the Planning Commission and Council directly.

cc: Honorable Mayor and Members of City Council
Phil Sunderland, City Manager



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05/22/2002 04:46 PM

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Subject: SUP 2002-002 and 007

Dear Planning Commissioners,

At our April meeting, our civic association discussed, approved, and voted in support of the SUPs 2002-002 and 007, to change the zoning to allow a recycling collection center to be allowed at the "leaf mold and Christmas tree chipper site" on Eisenhower Ave. WTCA encourages and supports recycling. One of the recycling collection sites is around the corner from our neighborhood on Wheeler Ave and we see how well the site is utilized. To provide more sites through out the city is to be encouraged. We believe citizens will use any facility that is provided. We also decided the type of person that is interested in the leaf mulch would also be of the mindset to recycle. The mulch yard is an ideal location for a recycling site.

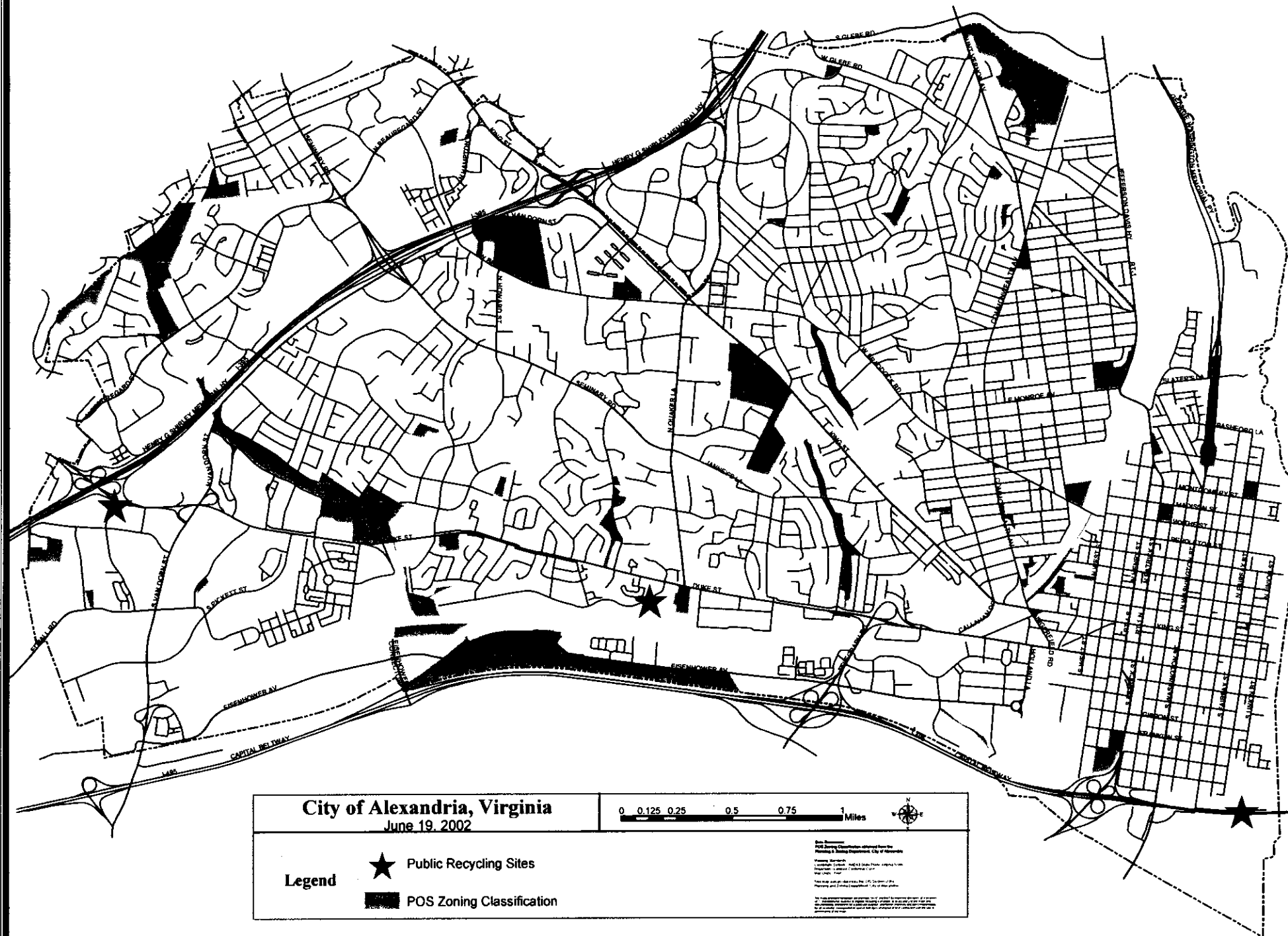
We applaud T&ES to locate additional recycling sites and hope that the Planning Commission agrees that the mulch yard is an ideal site for recycling. And that the rezoning will be compatible with the overall vision and use of this area. I would like to encourage T&ES to go one step further and consider requesting that our parks and schools place recycling trashcans to encourage that plastic bottles and soda cans are not only thrown away, but recycled. Last year, soon after WTCA requested a trash can at a bus stop on Duke St, we noticed all bus stops in the area received trash cans. All of these trash cans are well used. One can only imagine where the refuse went before. To place recycling type receptacles where specific trash (soda bottles/cans) will be generated (ball fields, parks, etc.) is proactive. The mulch yard exemplifies this mindset.

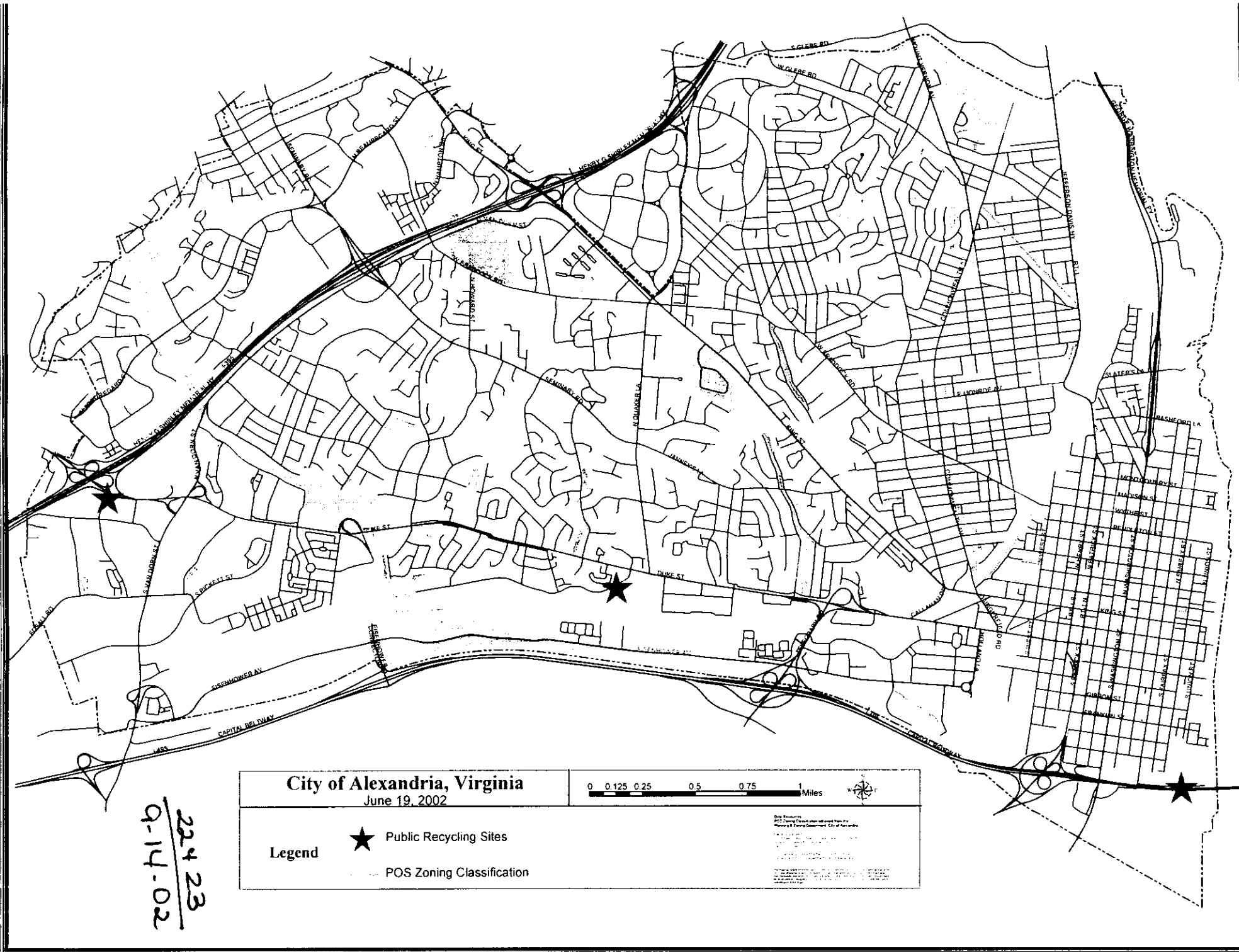
Thank you for your consideration in this rezoning.

Respectfully yours,

Elizabeth Wright

Wakefield Tarleton Civic Association
from Gordon to Jordan, south of Duke





224 23
9-14-02

TA #7002-0002

TEXT AMENDMENT # 2002-0002

ISSUE DESCRIPTION: To ALLOW A RECYCLING CENTER
IN the POS ZONE.

ZONING ORDINANCE SECTION: 6-105

CITY DEPARTMENT: PLANNING + ZONING

ACTION - PLANNING COMMISSION: 7-2-02 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 9/14/02PH--CC approved the Planning Commission
recommendation.